

SPECIAL VIDEO CONFERENCING PROCEDURES FOR PERSONS WITHOUT ATTORNEYS

The worldwide COVID-19 pandemic has forced the Court to make many changes to keep the public safe. We have drastically reduced the number of in person hearings. Almost all hearings will be held by video conference. Please review this information before your video hearing. Some courts may do things a little differently but most of these comments and suggestions will apply.

PLEASE READ AND COMPLY WITH ALL PROCEDURES

Before the Video-hearing

1. All video conferences will use the **ZOOM video conferencing app**. The free app is available at the Apple or Android app stores. **ZOOM** works on most laptops, tablets and smartphones. It can work on a desktop if it has video and audio capability. **You need a camera, speakers and a microphone.**
2. You will receive an **invitation** by email that includes instructions and a link. Please **accept the invitation**. After you accept the invitation, it will disappear from your inbox and an entry will appear on your calendar. A few minutes before the hearing is to start, double-click the calendar entry and follow the directions to enter the hearing.
3. **DO NOT WAIT UNTIL JUST BEFORE THE HEARING TO DOWNLOAD THE APP AND TO TEST YOUR EQUIPMENT.** You should click on the link in the invitation to test your connection.

During the Video Hearing

4. **Find a good place to be for your video hearing.** Try to find a place free from distractions and interruptions. Do not walk around or change places. Do not participate in the hearing while driving.
5. Remember, this is a formal hearing, **just as if you were present in the courtroom.**
6. Please don't talk at the same time or interrupt.
7. **All recording of the video conference is prohibited.** No one, including lawyers, parties, witnesses, media or anyone else may record the video hearing. Screenshots or pictures are also prohibited.
8. If you are able, properly identify yourself on screen. Do not identify yourself as "Guest" or by phone or room number:
9. You are prohibited from sharing your invitation or providing others with the identification number and password without prior written authorization. If other people are in a room with you, please maintain proper social hygiene and social distancing.
10. Try not to have two **ZOOM applications running in the same room** at the same time. If two or more apps are running at the same time there will be feedback that makes hearing everyone very difficult.

11. Do not put **papers, folders** or anything else that creates noise near your microphone. Shuffling papers and files creates noise that might make it impossible to hear others.
12. Dress in a soft solid color. Try to avoid busy patterns or narrow stripes. Dress like you are going to a regular court hearing.
13. When speaking, remember to **look directly at the camera**, not at the screen.
14. **Position the camera** at your eye level or slightly above eye level.
15. **If more than one person is in the room with you**, position the camera so that everyone can be seen. At the start of the hearing you will be asked to identify everyone in the room. This includes family, friends, witnesses and spectators.
16. No one under the age of 18 may be in the room with you during a hearing unless the judge allows it. Tell the judge at the start of the hearing if a child is present.
17. Be aware of what is behind you, choose a solid neutral wall if possible.
18. Check the lighting, Light from a window behind you might blind the camera. Light above you in the center of a room might also cast shadows. Put a lamp, or sit facing a window, where light is directly on your face.
19. Remember everyone must **speak one at a time**.
20. Pause before speaking in case there is any audio/video lag
21. **Exhibits** must be provided **to the court at least 48 hours** before the hearing, Exhibits can be papers, documents, photos, videos, audio recordings; anything you want the judge to see or hear. Try to identify your exhibits somehow ("Exhibit 1 photo of car" or "Exhibit A, text messages dated April 14, 2020" etc.)
22. **Send your exhibits to the judge's assistant**. Do not send too many all at once or make the file too big. Name the file by exhibit number. For example, you might send a file named "Smith 20CV1234 Exhibits 1-3." One copy will be provided to the city prosecutor.
23. If exhibits are not sent to the court and **exchanged with the other side**, the court will **not** consider them.
24. A witness (including you) may not have anything in their hand and **may not refer to notes**, papers, phones, computers or anything else without permission from the court. **Testimony must be from memory**. If you need to look at something to help your memory, ask the judge before you look.
25. During the hearing, **turn off all electronic devices other than the device running the video hearing app**. If you need another device during the hearing, ask the judge for permission at the start of the hearing.
26. **No program or window other than ZOOM shall be open** on any computer or electronic device in a witness' possession during testimony unless the judge allows it. No one is allowed to pass the notes by any means to or from the witness during the time he or she is testifying.
27. Because audio tends to lag behind video, if an **evidentiary objection** is made the

objecting party should not only clearly state the objection but should also make a visible signal such as waving or raising a hand to draw the court's attention.

28. **Interpreters.** If you or a witness needs an interpreter, please contact the court at **least two weeks in advance.**

29. Please **tell the court**, before the hearing, if any of these issues apply to you.

- a. You do not have reliable or unlimited **internet access.**
- b. You do not have an **email address.** You should check email at least daily because that is how the court will communicate with you. Ignoring emails might cause you to miss a hearing. You might not have the most recent order.
- c. You are unable to have **privacy** during the hearing,
- d. You have small **children or animals** that cannot be away from you during the hearing.
- e. If you have trouble communicating in **English.**
- f. You have **questions** about how the hearing will be held.

30. If you do not have access or the availability to use zoom video communications, please appear at the Osawatomie Police Department in advance of your hearing and access will be provided to you.